

HB 327 -- LOBBYING

SPONSOR: McCreery

This bill modifies lobbying regulations. In its main provisions, the bill:

(1) Prohibits any member of the General Assembly from accepting or receiving compensation of any kind as a paid political consultant until one year after the expiration of his or her term of office;

(2) Prohibits any member of the General Assembly from acting or serving as a lobbyist, registering as a lobbyist, or soliciting clients to represent as a lobbyist until three years after his or her term of office expires;

(3) Prohibits paid, full-time employees of any member from acting or serving as a lobbyist, registering as a lobbyist, or soliciting clients to represent as a lobbyist until one year after termination of his or her employment;

(4) Prohibits any member of the General Assembly from being compensated for acting or serving as an elected local government official lobbyist, or soliciting clients to represent as a lobbyist while serving a term as a member of the General Assembly;

(5) Allows a member of the General Assembly to act or serve as a lobbyist for and solicit clients to represent as a lobbyist, without compensation, for religious and charitable associations organized under Chapter 352 immediately upon vacating the member's office as a member of the General Assembly;

(6) Prohibits any individual holding office as a Missouri House of Representative or Missouri Senator from accepting or receiving compensation of any kind as a paid political consultant for another individual holding an elected office, as specified in the bill, or for any committee, as defined in Chapter 130. A spouse, dependent child, or parent may not accept or receive compensation of any kind on behalf of any individual holding office as a Missouri House of Representative or Missouri Senator who acts as a paid political consultant;

(7) Defines a "paid political consultant," as an individual who is paid or accepts anything of value to support or oppose the passage or defeat of a ballot measure or to promote the election of any candidate or the interest of an organization or committee, as specified in the bill;

(8) Prohibits members of the General Assembly and statewide

elected officials from soliciting any registered lobbyist for any position while he or she holds office;

(9) Prohibits any individual or business entity from soliciting a member of the General Assembly to become employed by the individual or business entity as a legislative lobbyist or as a paid political consultant, while the member is holding office as a member of the General Assembly. A member of the General Assembly must not solicit clients to represent as a legislative lobbyist;

(10) Prohibits the Governor and any individual acting on behalf of the Governor from making any offer or promise an appointment to any board, commission, committee, council, county office, department directorship, fee office under Section 136.055, judgeship, or any other position, to any member of the General Assembly in exchange for the member's official vote on any public matter. An individual making any offer or promise is guilty of bribery of a public servant.

(11) Any member of the General Assembly who accepts or agrees to accept an offer or promise of an appointment to any board, commission, committee, council, county office, department directorship, fee office under Section 136.055, judgeship, or any other position, from the Governor or any individual acting on behalf of the Governor in exchange for the member's official vote on any public matter, is guilty of acceding to corruption;

(12) Prohibits the Governor, Lieutenant governor, Attorney General, Secretary of State, State Treasurer, State Auditor, any member of the General Assembly, and any of the elected official's staff, employees, spouse, or dependent children from accepting any tangible or intangible item, service, or thing of value from any lobbyist;

(13) Requires, within 10 days of submission of an appointment letter to the Secretary of State for the appointment of an individual to a board or commission, the Governor to deliver to the President Pro Tem of the Senate a list of any political contributions and expenditures made by the appointee within the previous four years;

(14) Prohibits an individual from intentionally offering to any elected or appointed official or employee of the state or any political subdivision thereof, and prohibits any official or employee from accepting, any item, service, or thing of value, including a contribution in direct exchange for voting in favor of, voting against, or engaging in any legislative, executive, or judicial course of action designed to benefit, delay, or hinder the passage or failure of any specific state legislation, rule, or

regulation, or any specific local legislation, order, ordinance, rule, or regulation. A violation of this section is a class D felony until December 31, 2016, and a class E felony beginning January 1, 2017;

(15) Requires that a lobbyist or lobbyist principal must maintain accurate records and accounts of lobbyist expenditures on a current basis with regard to records required under Chapter 105. All records and accounts of receipts and expenditures for elected officials must be preserved for at least three years after the date of the expenditure to which the record pertains. The records must be available for inspection by the Ethics Commission and its duly authorized representatives during an investigation by the Ethics Commission;

(16) Prohibits a lobbyist from delivering any tangible or intangible item, service, or thing of value to the Governor, Lieutenant Governor, Attorney General, Secretary of State, State Treasurer, State Auditor, or any member of the General Assembly or to any of the elected official's staff, employee, spouse, or dependent children;

(17) Creates a crime for improperly acting as a lobbyist without registering. An individual who engages in lobbyist activities and who knowingly fails to register as a lobbyist is guilty of a class B misdemeanor for the first violation and guilty of a class E felony for any subsequent violations;

(18) Regulates the practice of being a paid political consultant as defined previously. Each paid political consultant must file standardized registration forms by January 5 of each year or five days after beginning any activities as a paid political consultant. Each registration must contain specified information and a \$10 filing fee. The commission must maintain files on all consultant filings and the files must be open to the public. An updated statement must be filed within one week of any addition, deletion, or change in a political employment or representation. The filing fee must be deposited to the General Revenue Fund of the state; and

(19) Repeals unconstitutional enacted statutes and makes other technical changes to the statutes.

The bill has an effective date of January 1, 2016.